

COUNCIL MEETING RESULTS



CITY OF SURPRISE Regular City Council Meeting Agenda 16000 N. Civic Center Plaza Surprise, AZ 85374

Tuesday, November 15, 2016 @ 6:00 PM
COUNCIL CHAMBERS

+ Back Print

- A. **CALL TO ORDER @ 6:00 P.M.**
- B. **ROLL CALL – ALL COUNCIL WERE PRESENT (WOLCOTT, TANDE, HALL, VILLANUEVA, WILLIAMS, HAYDEN AND WINTERS).**
- C. **PLEDGE OF ALLEGIANCE**
- D. **PROCLAMATION AND COMMUNITY ACKNOWLEDGEMENTS – PROCLAMATION RECOGNIZING CLARENCE BEGAY FROM THE ROUND POINT AZ ON THE NAVAJO NATION.**
- E. **CITY MANAGER REPORT: BELL/GRAND UPDATE**
- F. **CITY ATTORNEY REPORT:**
- G. **CITY CLERK REPORT: GENERAL ELECTIONS UPDATE OF PROCESS**
- H. **CALL TO THE PUBLIC: KEN REMLEY – RECOGNITION TO STAFF FOR MEALS PROGRAM AT SENIOR CENTER.**

INSTRUCTIONS: In order to address the City Council, you will need to fill out a Call to the Public Form available at the front counter, and then turn it in to the City Clerk before the meeting begins.

[Download the Call to the Public form](#) (PDF download requires [Adobe Acrobat Reader](#))

[Fill out the Call to the Public form online](#) If submitting form electronically, please submit to City Clerk at least one hour before the meeting start time.

The Call to the Public form is also available at the front counter.

Note: A.R.S. 38-431.01(H) - During this time members of the public may address City Council on any item not on the agenda. At the conclusion of the open call, City Council may respond to criticism, may ask staff to review the matter or may ask that the matter be put on a future agenda. No discussion or action shall take place on any item raised.

Approval of items on the Consent Agenda – all items with an asterisk (*) are considered to be routine matters and will be enacted by one motion and one roll call vote to the City Council. There will be no separate discussion on these items unless a Councilmember requests, in which event the item will be removed from the consent agenda and considered in its normal sequence on the agenda.

I. REGULAR CITY COUNCIL MEETING AGENDA:

WINTERS ASKED THAT ITEM #2 BE REMOVED FOR DISCUSSION.

**CONSENT AGENDA: M: HALL 2ND: VILLANUEVA
VOTE: 7 YES VOTES.**

1. District 5 **Consideration and action on a request for a Series 12 liquor license (1207A792 - Interim Permit/New License, LLC) for Red Line Grill (Family Nest, LLC) located at 15332 W. Bell Road, #101 & #102, Surprise, Arizona 85374.** APPROVED
Sherry Ann Aguilar, City Clerk
2. District 1 **Consideration and action pertaining to approval the Final Plat entitled "Desert Oasis Lancer Parcel L7 and Lancer Parcel L8", dated October 12, 2016, a property generally located at the northwest corner of Jomax Road and 171st Avenue.** APPROVED
Sergio Angulo - Community Development

M: WINTERS 2ND: WILLIAMS VOTE: 7 YES VOTES.

3. District 3 **Consideration and action pertaining to conditional acceptance of the public utility improvements at Prasada – Phase 2A West Lot 2B (Burger King), generally located on the northwest corner of Waddell Road and SR303; Resolution # 2016-135.** APPROVED
Karl Zook, Public Works Department
4. District Citywide **Consideration and action on the minutes of November 1, 2016 Regular City Council Work Session and Regular City Council Meeting.** APPROVED
Sherry Ann Aguilar, City Clerk

REGULAR AGENDA ITEM - PUBLIC HEARING:

5. District 3 **Presentation and discussion of FS16-427 Magnolia Annexation Public Hearing, in accordance with Arizona Revised Statutes 9-471(A)(3), a public hearing is required to be held after filing a blank petition within the last ten days of the thirty day waiting period.** NO ACTION REQUIRED – PUBLIC HEARING ONLY.

NO PUBLIC COMMENTS RECEIVED.

REGULAR AGENDA ITEM - NON-PUBLIC HEARING:

6. District Citywide **Consideration and action pertaining to the recommendation of Presiding Judge Louis F. Dominguez to appoint Catherine Gaudreau to a four year term as the Associate Judge for the Surprise City Court; Resolution #2016-149.** APPROVED
Louis Frank Dominguez

M: TANDE 2ND: HALL VOTE: 7 YES VOTES.

7. District Citywide **Consideration and action pertaining to an amendment to the fiscal year 2017 budget by reallocating appropriations of \$8,400 within the Grants and Contingency Fund and authorizing the acceptance of Project Initiation Pool (PIP) grant funds; Resolution # 2016-142.** APPROVED
Martin
Lucero -
Community
Development

M: TANDE 2ND: WINTERS VOTE: 7 YES VOTES.

8. District Citywide **Consideration and action pertaining to an amendment to the fiscal year 2017 budget by reallocating appropriations of \$737,900 within the Grants Fund and \$146,500 within the General Fund for the receipt of a FEMA grant to fund the addition of five (5) firefighters in accordance with the Staffing for Adequate Fire and Emergency Response (SAFER) program; Resolution #2016-138.** APPROVED
Chief Tom
Abbott

M: WILLIAMS 2ND: WINTERS VOTE: 7 YES VOTES.

9. District Internal **Consideration and action pertaining to approval of an agreement with Tohono O'odham Nation and the WHAM Art Association to accept and administer funding for the Art: A Path of Healing project and an amendment to the fiscal year 2017 budget by reallocating appropriations of \$5,000 within the Grants Fund; Resolution # 2016-140.** APPROVED
Seth Dyson,
Human
Service &
Community
Vitality

M: HALL 2ND: WINTERS VOTE: 7 YES VOTES.

10. District Internal **Consideration and action pertaining to approval of a second amendment to the Surprise Center Development Company L.L.C. Compromise Settlement Agreement and Full and Final Release of All Claims.** APPROVED
Robert
Wingo, City
Attorney

M: WILLIAMS 2ND: WINTERS VOTE: 7 YES VOTES.

J. OTHER BUSINESS AND FUTURE AGENDA ITEMS:

**WINTERS – ADD TO THE NEXT WORK SESSION A PRESENTATION BY
CHANCE SHELTER 2ND: HALL**

K. MAYOR/COUNCIL REPORTS:

L. EXECUTIVE SESSION: NONE HELD.

For information Purposes; Upon a public majority vote of a quorum of the City Council, the Council may hold an executive session, which will not be open to the public, but for only the following purposes:

- discussion or consideration of personnel matters (A.R.S. §38-431.03 (A)(1));
- discussion or consideration of records exempt by law from public inspection (A.R.S. §38-401.03 (A)(2));
- discussion or consultation for legal advice with the city's attorneys (A.R.S. §38-431.03 (A)(3));

- discussion or consultation with the city's attorneys regarding the city's position regarding contracts that are the subject of negotiations, in pending or contemplated litigation, or in settlement discussions conducted in order to avoid or resolve litigation (A.R.S. §38-431.03 (a)(4));
- discussion or consultation with designated representatives of the city in order to consider its position and instruct its representatives regarding negotiations with employee organizations (A.R.S. §38-431.03 (A)(5)); or
- discussion, consultation or consideration for international and interstate negotiations or for negotiations by a city or town, or its designated representatives, with members of a tribal council, or its designated representatives, of an Indian reservation located within or adjacent to the city or town. A.R.S. §38-401.03 (A)(6)).
- discussing or consulting with designated representatives of the city in order to consider its position and instruct its representatives regarding negotiations for the purchase, sale or lease of real property (A.R.S. §38-431.03 (A)(7)).

Confidentiality Requirements Pursuant to A.R.S. §38-431.03(C)(D): Any person receiving executive session information pursuant to A.R.S. §38-431.02 shall not disclose that information except to the Attorney General or County Attorney by agreement of the City Council, or as otherwise ordered by a court of competent jurisdiction.

The council may vote to hold an executive session for the purpose of obtaining legal advice from the Board's attorney on any matter listed on the agenda pursuant to A.R.S. § 38-431.03(A)(3).

M. ADJOURNMENT: M: WINTERS 2ND: VILLANUEVA VOTE: 7 YES VOTES.

SHERRY ANN AGUILAR, CITY CLERK, MMC

POSTED: Wed., November 16, 2016 @ 7:40 a.m.

SPECIAL NOTE: PERSONS WITH SPECIAL ACCESSIBILITY NEEDS, INCLUDING LARGE PRINT MATERIALS OR INTERPRETER, SHOULD CONTACT THE CITY CLERK'S OFFICE @ 623.222.1200 OR TTY 623.222.1002, BY NO LATER THAN 24 HOURS IN ADVANCE OF THE REGULAR SCHEDULED MEETING TIME.